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February 3, 2017

VIA ECF

Honorable Paul G. Gardephe
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Kim v. Favre et al., Case No. 16cv-1522 (PGG)

Dear Judge Gardephe:

Our office represents the Defendants FX Communications + Media LLC and Xavier Favre in the above matter. Reference is made to our letter of January 31, 2017. As we explained in that letter, our client has been unable to free up the amounts due to fulfill the requirements of the Settlement Agreement between FX Communications + Media LLC and the Plaintiff (the "Agreement") according to the timeline agreed between the parties.

Presently, we have been informed that the amount we were expecting to have received by today's date will not be forthcoming, and that Defendant, FX Communications + Media LLC, likely will not be able to meet its obligations under the Agreement. Given these circumstances, FX Communications + Media LLC has instructed our office to stipulate to the entry of judgment against it for the settlement amount.

Our clients are deeply apologetic for any inconvenience this has caused and appreciate your Honor's and the plaintiff's patience.

Respectfully submitted,

MORRISON TENENBAUM, PLLC



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Cc: Plaintiff's Counsel (Via ECF)